

OFFICE OF THE CITY MANAGER

NO. LTC # 308-2015

LETTER TO COMMISSION

TO: Mayor Philip Levine and members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: July 31, 2015

SUBJECT: Combined Noise Report

1. Annual Noise Report 2014-2015 (July 2014 June 2015); and
2. Quarterly Report Q2-2015 (April 2015 through June 2015)

This Letter to Commission (LTC) provides a report and data analysis on the Code Compliance Department's enforcement efforts regarding the City's noise ordinance. The analysis includes both the Annual Noise Report, which reflects data from July 1, 2014 through June 30, 2015, and the Second Quarter (Q2) for 2015, which reflects data from April 1, 2015 through June 30, 2015. The data and metrics of both 2014-2015 Annual Noise Report and the Q2-2015 are presented by calendar year quarters as required by the Noise Administrative Guidelines.

The following attachments are included as part of the report.

- Attachment A – Data on noise cases for Quarters 3 and 4 for Calendar Year 2014, and Quarters 1 and 2 of Calendar Year 2015.
- Attachment B – Analysis for Commercial noise cases, as reflected in the above referenced reporting period.
- Attachment C – Analysis of noise cases for Quarter 2, 2015 (April 1, 2015 through June 30, 2015).
- Attachment D – Analysis for Commercial noise cases, for the same period referenced in Attachment C.
- Attachment E – Disposition of noise cases presented at Special Master Appeal Hearings for Q2-2015.

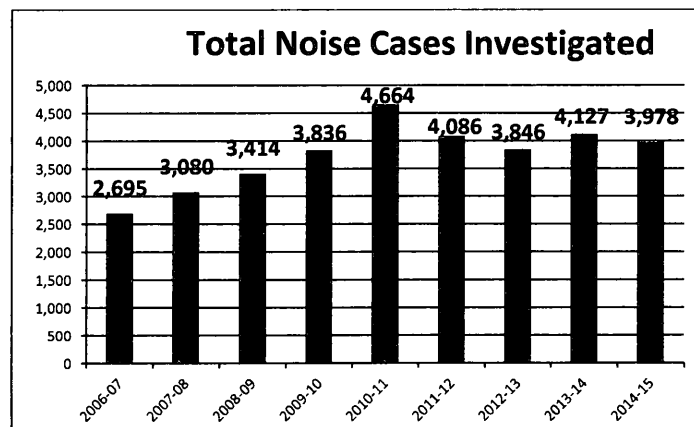
I. Summary of Annual Report Data

Attachment A to this report provides annual data for Quarters 3 and 4 for Calendar Year 2014, and Quarters 1 & 2 of 2015. During the reporting period of July 1, 2014 through June 30, 2015, a total of **3,978 noise cases** were opened. Of the 3,978 total cases, one hundred (100) were cancelled by the complainant, ninety-seven (97) were voided due to staff error, sixteen (16) were deemed duplicate complaints, 248 were routed to the Police Department as the request was received during hours that Code does not operate, one hundred (100) were not applicable to Code, and five (5) were closed by the Evening Shift Code Compliance Administrator. If these 566 cases are subtracted from the total number of cases that were opened, the result is **3,412 cases** with a disposition of valid or non-valid. During the annual evaluation period, a total of 735 cases were deemed valid, resulting in an overall validity rate of **21.5%** for all noise cases.

The report will show that residential noise violations both historically and statistically account for the majority of noise cases. During the 2014-2015 evaluation period, residential noise violations accounted for 63.8% of noise cases/investigations (2,176 cases), of which 462 cases were identified to be valid. This yields a 21.2% validity rate. When a similar analysis is applied to commercial cases, the validity rate remains about the same; with 762 total commercial cases, and 166 deemed valid (21.8%).

II. Analysis

A historical review of noise cases by year reflects that the number of noise cases received and responded to by Code Compliance in the past nine (9) years has increased relative to 2006-2007; but have decreased since 2010-11; when noise investigations peaked to its highest level. This phenomenon is reflected in the chart immediately below. One hypothesis is that the City is not necessarily becoming noisier but that rather the ease of access and ability to contact Code or Police to complain about noise.



It is important to denote that the information provided in this LTC adheres to the 2008 Administrative Guidelines which require that annual and quarterly noise reports provide detailed information regarding noise cases. Data is compiled and presented which reflects the total number of complaints, location and noise type, time the complaint is received, response time, and disposition. This information is provided in Attachments A through D. The table below provides information on the type of noise by type of establishment. "Other" relates to noise cases identified within public property.

BREAKDOWN OF TOTAL CASES BY TYPE		
July 2014 – June 2015		
RESIDENTIAL	2,176	63.8%
COMMERCIAL	762	22.3%
OTHER	474	13.9%
TOTAL	3,412	100.0%

The noise data reflected above is consistent with previous years, in that nearly two-thirds of the noise cases occur in residentially zoned properties. As it pertains to validity rates, the table on the following page provides information regarding the reason the responding Code Compliance Officer (CCO) identified the noise complaint to be invalid. During the reporting period, there were 3,031

cases that failed to meet the noise threshold.

ALL CASES

595 NON-VALID CASES	TOTALS	Music/Noise lowered prior to arrival per complainant	No Access / Access code	No Noise AT ALL	Exception Granted	Not a Code Issue	Music/Noise Not Loud or Excessive	Not Loud or Excessive AND After 11PM - Not audible at 100ft.	PD Non-valid, Bad Address, or No Information
	3,031	90	85	1,321	37	23	993	111	371
PERCENTAGES		3.0%	2.8%	43.6%	1.2%	0.7%	32.8%	3.7%	12.2%

A detailed analysis reflects that nearly one-half of the instances (43.6%), there was no noise whatsoever identified by the responding CCO at the time of arrival. Another one-third of the time (32.8% - 993 cases), the noise/music level was not deemed to be excessive or plainly audible after 11 PM (at 100 feet) by the responding CCO.

III. Further Analysis

Attachments A and B provide detailed analysis regarding the type of location of the noise case (e.g. apartment, bar, club, condominium, etc.), as well as noise type (e.g. loud music, construction noise, honking cars / alarms). The report also reflects the noise cases by time and day of the week. As reflected and consistent with other reports, loud music is the most common type of noise complaint (2,248 cases – 65.9%) followed by construction noise (701 cases – 20.5%), and barking dogs (396 cases – 11.6%). As it relates to the day of the week, Saturday is unequivocally the day with the highest incidence of noise cases (29.5%), followed by Sunday (18.5%) and then Friday (15.4%).

Another important variable measured in the Noise Analysis is response time. The matrix below provides detailed information on response time for the July 2014 through June 2015 period.

Average Time for Code Officer to Arrive (2014-2015 - ANNUAL)					
Number of Cases *	Establishment Type	Average Time to Officer's Arrival	Status	Number of Cases *	Average Time from Call Received by Dispatch to Code Officer's Arrival
3235	Residential	0:23:48	VALID	412	0:22:28
			NON-VALID	1,666	0:24:08
	Commercial	0:19:41	VALID	136	0:17:38
			NON-VALID	584	0:20:09
	Other	0:22:01	VALID	83	0:17:53
			NON-VALID	354	0:22:59
All Cases	0:22:39	VALID	631	0:20:49	
		NON-VALID	2,604	0:23:05	

*Average Time Calculated using only those cases with valid time data for both "Time Call Received by Dispatch" and "Time of Arrival by Code Compliance Officer"

As reflected on previous reports, there appears to be a correlation between noise validity rates and response time. In each category and at the aggregate level, the valid cases reflected a quicker response time and/or lower response time than those cases with non-valid outcomes. Although the time fluctuations are rather small (e.g. one minute and 50 seconds to nearly three (3) minutes), earlier arrival times at the aggregate level appears to yield a higher validity rate.

IV. Major / Special Events

During the annual evaluation period, a number of major events took place at the City of Miami Beach; these included Memorial Weekend, Winter Music Conference (WMC), Spring Break, Halloween, New Year's and other events associated with music. All these events were associated with an increased number of noise violations.

The City also experienced a significant increase in construction-related noise issues, in both private and public property (e.g. Alton Road, Sunset Harbor area, etc.). In a number of instances, and in an effort to expedite the construction process, there were thirty-seven (37) noise exemptions granted (to include Florida Department of Transportation – FDOT and other city contractors on projects along Alton Road, Sunset Harbor, and Chase Avenue among others).

Lastly, it is important to reflect that although the City's Centennial Celebration was a major music-related event featuring world-renowned artists, there were no noise complaints received by the City.

V. Special Master Appeal Hearings

As part of due process, Florida Statutes (Chapter 162) and the City of Miami Beach Code of Ordinances provide the opportunity to have noise cases heard by a Special Master. During the evaluation period, there were seventy-four (74) noise cases that appeared before a Special Master. The dispositions of the cases were as follows:

- Thirty-Five (35) cases were adjudicated guilty,
- Twenty-six (26) cases were dismissed by the Special Master for failing to meet the "clear and convincing" standard of evidence; and
- Thirteen (13) entered into Agreed Orders through the City Attorney's Office.

VI. Summary of Quarter 2 - 2015

In an effort to avoid repetition, only salient and required data will be provided in the Q2-2015 report. Between April 1, 2015, and June 30, 2015, there were 846 noise cases investigated by Code Compliance; of these:

- Twenty four (24) were cancelled by the complainant,
- Twelve (12) were voided,
- Two (2) were duplicates,
- Four (4) were not applicable to Code and/or were closed.

Subtracting the above referenced 42 cases from the 846 total noise cases addressed yields a total of 804 cases/investigations with a valid or non-valid disposition addressed by Code during Q2-2015. Of these, 147 cases were deemed to be valid, resulting in an **18.3%** overall validity rate.

Of the 804 noise cases with a disposition during Q2 - 2015, 493 cases (61.3%) took place in residential property, 208 (25.9%) cases were identified to have taken place in commercially zoned areas; and 103 (12.8%) cases took place in the public right of way or a public venue. All other information required by the Administrative Guidelines, including complaints, total number of noise cases opened / investigated, number of cases with a valid or non-valid disposition, classification of noise cases, and other details are included in **Attachment C**. Additional information regarding the 208 commercial noise cases is provided in **Attachment D**.

VII. Emerging Issues

It is important to denote that the Code Compliance Department in the City of Miami Beach is and continues to be a pioneer in a number of code-related issues. For example: the City of Miami Beach operates the only 24 hour Code Compliance / Code Enforcement service in the State of Florida (Fridays and Saturdays); and 21 hours on Thursdays and Sundays. Not only does Code staff address noise-related issues, but also entertainment, special events without permits, licensing and

alcohol-related violations.

Along that same vein, CMB Code will be the first Code Compliance / Code Enforcement agency to utilize Body Cameras / Video Recorders in the State of Florida. This watershed is worthy of acknowledgement.

Code is currently in the process of completing the final Standard Operation Procedure (SOP) draft for Portable Video Recorders (PVRs) and will be instituting a pilot program with approximately five (5) to seven (7) Code Compliance Officers (CCOs), ideally one for each shift. The Department is currently in the process of developing appropriate clearance protocols.

Code Compliance staff will continue to use the current process for identifying a noise violation, (the application of a “reasonable person’s standard” in the event of excessive, unusual and/or unnecessary noise; and “plainly audible” amplified music at 100 feet, between the hours of 11:00 PM and 7:00 AM). The video and audio recordings will be utilized to provide support evidence, not only for noise, but for other code-related issues.

IX. Conclusion

The City of Miami Beach Code Compliance Department’s core mission is “to protect the public health, safety, welfare; and improve the quality of life for the City’s residents, business owners and visitors through the consistent and equitable application of City Codes and Ordinances.” One of the most important issues for the residents and business owners is environmental noise; and just as important is the process by which the City addresses it. Thus, the “equitable and consistent” application of the ordinance is absolutely crucial to the success and transparency of the organization.

In an effort to address noise violations in an equitable and transparent manner, the City held multiple public discussions on noise in 2014 to receive input from area residents as well as businesses. From a legal perspective, the City made it clear that the current ordinance and process is fundamentally robust and provides a constitutionally tested standard of proof. To that effect, a change to a decibel-based noise threshold as had been suggested by some participating members was not an option.

Notwithstanding, the decision to add tamper-proof video recordings to the Code Compliance process, and specifically to supplement the body of evidence for a noise complaint creates a win-win strategy whereby the assessment process and noise standard remains intact while introducing technology to supplement its findings. Noise related issues remain one of the most important subjects addressed by the Code Compliance Department and the PVRs provide a conduit to strengthen the process even further.


JLM/HZ/RSAT

Attachments

- Attachment A: Annual Noise Case Data, 07/01/2014 through 6/30/2015
- Attachment B: Commercial Noise Case Data, 07/01/2014 through 6/30/2015
- Attachment C: Q2 2015 Noise Data
- Attachment D: Q2 2015 Noise Data – Commercial Cases Only.
- Attachment E: Q2 2015 – Special Master Cases

ALL CASES
Noise Data 07/01/2014 - 06/30/2015 (ANNUAL)

Total Number of Noise Complaint Cases Opened/Calls Received			
Total Cases Opened	Less Voided, Canceled, Duplicate Complaints, Complaints not Applicable to Code Compliance, or Routed / Referred to PD	Total with Dispositions (Handled by Code Compliance) (Valid/Invalid)	
3,978	566	3,412	
			Complaint Calls Received
			56
			3,356

*Voided cases are cases that were entered in error, etc.
 **Canceled calls are cases canceled by the complainant prior to a Code Officer's arrival

Valid Violation Breakdown			
Verbal	59	8.0%	
Written Warning	520	70.7%	
Violation	156	21.2%	
Total Valid Cases	735	100%	

Noise Cases by Type of Establishment			
	Total Cases		
	Number of Cases	Percentage of All Cases	
Residential	2,176	63.8%	
Commercial	762	22.3%	
Other	474	13.9%	
Totals	3,412	100%	

Residential = Apt, Condo, Single Family
 Commercial = Bar, Club, Hotel, Hotel-Condo, Restaurant, Retail, Constr-Com
 Other = Bandshell, Beach, Public Property, etc..

	Total Cases		Valid Cases		Non-Valid Cases	
	Number of Cases	Percentage of All Cases	Number of Cases	Percentage of Cases	Number of Cases	Percentage of Cases
APT	1,043	30.6%	185	17.7%	858	82.3%
BAR	90	2.6%	12	13.3%	78	86.7%
CLUBS	74	2.2%	13	17.6%	61	82.4%
CONDO	609	17.8%	135	22.2%	474	77.8%
CONDO-HOTEL	57	1.7%	13	22.8%	44	77.2%
HOME	524	15.4%	142	27.1%	382	72.9%
OTHER	474	13.9%	107	22.6%	367	77.4%
RESTAURANT	273	8.0%	65	23.8%	208	76.2%
RETAIL	30	0.9%	6	20.0%	24	80.0%
HOTEL	238	7.0%	57	23.9%	181	76.1%
UNKNOWN	0	0.0%	0	0.0%	0	0.0%
Totals	3,412	100%	735	21.5%	2,677	78.5%

Disposition of All Noise Cases		
Type		#
Total Cases		3,978
	Canceled**	100
	Voided*	97
	Duplicate Complaint	16
	Handled/Referred to PD	248
	Not Applicable to Code	100
	Closed / ClosedSM	5
Total Valid and Non-Valid Cases (Handled by Code)		3,412
	Valid Cases	735
	Non-valid Cases	2,677

Noise Cases by Noise Type

Noise Type	TOTALS		Valid Cases		Non-valid Cases	
LOUD MUSIC	2,248	65.9%	452	20.1%	1,796	79.9%
LIVE ENTERTAINMENT	8	0.2%	1	12.5%	7	87.5%
BARKING DOG	396	11.6%	82	20.7%	314	79.3%
CROWD NOISE	4	0.1%	1	25.0%	3	75.0%
CONSTRUCTION	701	20.5%	185	26.4%	516	73.6%
OTHER	0	0.0%	0	0.0%	0	0.0%
HONKING CARS/ALARMS	55	1.6%	14	25.5%	41	74.5%
Totals	3,412	100%	735	21.5%	2,677	78.5%

Call Time of Day / Day of Week

ALL CASES (VALID AND NON-VALID)

	Total	7a - 11p	11p - 7a (of the following morning)
Monday	365	10.7%	284
Tuesday	314	9.2%	235
Wednesday	343	10.1%	254
Thursday	388	11.4%	258
Friday	536	15.7%	275
Saturday	827	24.2%	467
Sunday	157	4.6%	428
Totals	3,412	86%	2,201

VALID

	Total	7a - 11p	11p - 7a (of the following morning)
Monday	76	10.3%	62
Tuesday	59	8.0%	52
Wednesday	70	9.5%	54
Thursday	64	8.7%	45
Friday	113	15.4%	49
Saturday	217	29.5%	130
Sunday	136	18.5%	81
Totals	735	100%	473

NON-VALID

	Total	7a - 11p	11p - 7a (of the following morning)
Monday	289	10.8%	222
Tuesday	255	9.5%	183
Wednesday	273	10.2%	200
Thursday	324	12.1%	213
Friday	423	15.8%	226
Saturday	610	22.8%	337
Sunday	503	18.8%	347
Totals	2,677	100%	1,728

Call Time of Day - Residential vs Commercial

	Total	7a - 11p	11p - 7a (of the following morning)
RESIDENTIAL	2,176	63.8%	1,415
COMMERCIAL	762	22.3%	412
OTHER	474	13.9%	374
Totals	3,412	100%	513

Breakdown of Calls with Identified Complainants and with Anonymous Complainants						
	Total Cases		Valid Cases		Non-valid Cases	
Totals	3,412	100%	735	21.5%	2,677	78.5%
Anonymous Complainant	2120	62.1%	413	19.5%	1,707	80.5%
Anonymous with Contact made	219	6.4%	55	25.1%	164	74.9%
Contact Information Provided	1017	29.8%	214	21.0%	803	79.0%
Internal	56	1.6%	53	94.6%	3	5.4%

ATTACHMENT B - Code Compliance

COMMERCIAL NOISE CASES Noise Data 07/01/2014 - 06/30/2015 (ANNUAL)

Total Number of Noise Complaint Calls Received

Total Cases (Valid and Non-valid only)	Less Code or PD Initiated (Proactive)	Complaint Calls Received
762	28	734

Disposition of All Noise Cases

Type	#	%
Valid Cases	166	21.8%
Non-valid Cases	596	78.2%
Total Valid and Non-Valid Cases =		762
		100%

Total Valid and Non-Valid Cases =

Valid Violation Breakdown

Verbal	34	20.5%
Written Warning	92	55.4%
Violation	40	24.1%
Total Valid Cases	166	100%

Noise Cases by Type of Establishment

Location Type	Totals	% of Commercial Cases (By Establishment Type)	Valid		Non-Valid	
BAR	90	11.8%	12	13.3%	78	86.7%
CLUBS	74	9.7%	13	17.6%	61	82.4%
CONDO-HOTEL	57	7.5%	13	22.8%	44	77.2%
RESTAURANT	273	35.8%	65	23.8%	208	76.2%
RETAIL	30	3.9%	6	20.0%	24	80.0%
HOTEL	238	31.2%	57	23.9%	181	76.1%
Total	762	100%	166	21.8%	596	78.2%

Noise Cases by Noise Type

Noise Type	Totals	% of Commercial Cases (By Type of Noise)	Valid		Non-valid	
LOUD MUSIC	652	85.6%	134	20.6%	518	79.4%
LIVE ENTERTAINMENT	1	0.1%	0	0.0%	1	100.0%
BARKING DOG	3	0.4%	1	33.3%	2	66.7%
CROWD NOISE	0	0.0%	0	0.0%	0	0.0%
CONSTRUCTION	91	11.9%	28	30.8%	63	69.2%
OTHER	0	0.0%	0	0.0%	0	0.0%
HONKING CARS/ALARMS	15	2.0%	3	20.0%	12	80.0%
Totals	762	100.0%	166	21.8%	596	78.2%

Time of Day / Day of Week of Call

ALL CASES (VALID AND NON-VALID)

	Total		7a - 11p		11p - 7a (of the following morning)	
Monday	20	9.6%	14	70.0%	6	30.0%
Tuesday	20	9.6%	12	60.0%	8	40.0%
Wednesday	12	5.8%	8	66.7%	4	33.3%
Thursday	18	8.7%	7	38.9%	11	61.1%
Friday	41	19.7%	17	41.5%	24	58.5%
Saturday	52	25.0%	28	53.8%	24	46.2%
Sunday	45	21.6%	29	64.4%	16	35.6%
Totals	208	100.0%	115	55.3%	93	44.7%

VALID

	Total		7a - 11p		11p - 7a (of the following morning)	
Monday	16	10.1%	10	62.5%	6	37.5%
Tuesday	14	8.9%	11	78.6%	3	21.4%
Wednesday	21	13.3%	14	66.7%	7	33.3%
Thursday	18	11.4%	11	61.1%	7	38.9%
Friday	27	17.1%	9	33.3%	18	66.7%
Saturday	45	28.5%	26	57.8%	19	42.2%
Sunday	17	10.8%	3	17.6%	14	82.4%
Totals	158	100.0%	84	53.2%	74	46.8%

NON-VALID

	Total		7a - 11p		11p - 7a (of the following morning)	
Monday	53	8.9%	33	62.3%	20	37.7%
Tuesday	43	7.2%	25	58.1%	18	41.9%
Wednesday	51	8.6%	33	64.7%	18	35.3%
Thursday	65	10.9%	29	44.6%	36	55.4%
Friday	112	18.8%	52	46.4%	60	53.6%
Saturday	136	22.8%	64	47.1%	72	52.9%
Sunday	136	22.8%	84	61.8%	52	38.2%
Totals	596	100%	320	53.7%	276	46.3%

Breakdown of Calls with Identified Complainants and with Anonymous Complainants

	Total Cases		Valid Cases		Non-valid Cases	
Total Complainants	762	100%	166	21.8%	596	78.2%
Anonymous Complainant	505	66.3%	85	16.8%	420	83.2%
Anonymous with Contact made	28	3.7%	8	28.6%	20	71.4%
Contact Information Provided	201	26.4%	45	22.4%	156	77.6%
Internal (Proactive)	28	3.7%	28	100.0%	0	0.0%

ALL CASES

Noise Data 04/01/2015 - 06/30/2015 (Q2-2015)

Total Number of Noise Complaint Cases Opened/Calls Received			
Total Cases Opened	Less Voided, Canceled, Duplicate Complaints, Complaints not Applicable to Code Compliance, or Routed / Referred to PD	Total with Dispositions (Handled by Code Compliance) (Valid/Invalid)	Complaint Calls Received
846	42	804	791

		*Voided cases are cases that were entered in error, etc.
		**Canceled calls are cases canceled by the complainant prior to a Code Officer's arrival

Valid Violation Breakdown		
Verbal	11	7.5%
Written Warning	118	80.3%
Violation	18	12.2%
Total Valid Cases	147	100%

Noise Cases by Type of Establishment			
	Total Cases		
	Number of Cases	Percentage of All Cases	
Residential	493	61.3%	
Commercial	208	25.9%	
Other	103	12.8%	
Totals	804	100%	

Residential = Apt, Condo, Single Family
 Commercial = Bar, Club, Hotel, Hotel-Condo, Restaurant, Retail, Constr-Com
 Other = Bandshell, Beach, Public Property, etc..

	Total Cases		Valid Cases		Non-Valid Cases	
	Number of Cases	Percentage of All Cases	Number of Cases	Percentage of Cases	Number of Cases	Percentage of Cases
APT	216	26.9%	42	5.2%	174	21.6%
BAR	24	3.0%	0	0.0%	24	3.0%
CLUBS	20	2.5%	2	0.2%	18	2.2%
CONDO	144	17.9%	28	3.5%	116	14.4%
CONDO-HOTEL	14	1.7%	3	0.4%	11	1.4%
HOME	133	16.5%	23	2.9%	110	13.7%
OTHER	103	12.8%	21	2.6%	82	10.2%
RESTAURANT	89	11.1%	12	1.5%	77	9.6%
RETAIL	8	1.0%	3	0.4%	5	0.6%
HOTEL	53	6.6%	13	1.6%	40	5.0%
UNKNOWN	0	0.0%	0	0.0%	0	0.0%
Totals	804	100%	147	18.3%	657	81.7%

Disposition of All Noise Cases	
Type	#
Total Cases	846
Canceled**	24
Voided*	12
Duplicate Complaint	2
Handled/Referred to PD	0
Not Applicable to Code	2
Closed / ClosedSM	2
Total Valid and Non-Valid Cases (Handled by Code)	804
Valid Cases	147
Non-valid Cases	657

Noise Cases by Noise Type					
Noise Type	TOTALS		Valid Cases		Non-valid Cases
LOUD MUSIC	553	68.8%	88	10.9%	465
LIVE ENTERTAINMENT	2	0.2%	0	0.0%	2
BARKING DOG	78	9.7%	10	1.2%	68
CROWD NOISE	1	0.1%	1	0.1%	0
CONSTRUCTION	154	19.2%	44	5.5%	110
OTHER	0	0.0%	0	0.0%	0
HONKING CARS/ALARMS	16	2.0%	4	0.5%	12
Totals	804	100%	147	18.3%	657
					81.7%

Call Time of Day / Day of Week					
ALL CASES (VALID AND NON-VALID)					
	Total		7a - 11p	11p - 7a (of the following morning)	
Monday	83	10.3%	65	8.1%	18
Tuesday	62	7.7%	45	5.6%	17
Wednesday	68	8.5%	53	6.6%	15
Thursday	95	11.8%	60	7.5%	35
Friday	135	16.8%	69	8.6%	66
Saturday	204	25.4%	114	14.2%	90
Sunday	157	19.5%	107	13.3%	50
Totals	804	100%	513	63.8%	291
					36.2%

VALID					
	Total		7a - 11p	11p - 7a (of the following morning)	
Monday	9	6.1%	8	5.4%	1
Tuesday	11	7.5%	8	5.4%	3
Wednesday	11	7.5%	9	6.1%	2
Thursday	15	10.2%	11	7.5%	4
Friday	27	18.4%	13	8.8%	14
Saturday	47	32.0%	26	17.7%	21
Sunday	27	18.4%	17	11.6%	10
Totals	147	100%	92	62.6%	55
					37.4%

NON-VALID					
	Total		7a - 11p	11p - 7a (of the following morning)	
Monday	74	11.3%	57	8.7%	17
Tuesday	51	7.8%	37	5.6%	14
Wednesday	57	8.7%	44	6.7%	13
Thursday	80	12.2%	49	7.5%	31
Friday	108	16.4%	56	8.5%	52
Saturday	157	23.9%	88	13.4%	69
Sunday	130	19.8%	90	13.7%	40
Totals	657	100%	421	64.1%	236
					35.9%

Call Time of Day - Residential vs Commercial					
	Total		7a - 11p	11p - 7a (of the following morning)	
RESIDENTIAL	493	61.3%	310	38.6%	183
COMMERCIAL	208	25.9%	115	14.3%	93
OTHER	103	12.8%	88	10.9%	15
Totals	804	100%	513	63.8%	291
					36.2%

Breakdown of Calls with Identified Complainants and with Anonymous Complainants						
	Total Cases		Valid Cases		Non-valid Cases	
Totals	804	100%	147	18.3%	657	81.7%
Anonymous Complainant	487	60.6%	74	9.2%	413	51.4%
Anonymous with Contact made	35	4.4%	12	1.5%	23	2.9%
Contact Information Provided	269	33.5%	50	6.2%	219	27.2%
Internal	13	1.6%	11	1.4%	2	0.2%

ATTACHMENT D - Code Compliance

COMMERCIAL NOISE CASES Noise Data 04/01/2015 - 06/30/2015 (Q2-2015)

Total Number of Noise Complaint Calls Received

Total Cases (Valid and Non-valid only)	Less Code or PD Initiated (Proactive)	Complaint Calls Received
208	4	204

Disposition of All Noise Cases

Type	#	%
Valid Cases	33	15.9%
Non-valid Cases	175	84.1%
Total Valid and Non-Valid Cases =		208
		100%

Total Valid and Non-Valid Cases =

Valid Violation Breakdown

Verbal	3	9.1%
Written Warning	25	75.8%
Violation	5	15.2%
Total Valid Cases	33	100%

Noise Cases by Type of Establishment

Location Type	Totals	% of Commercial Cases (By Establishment Type)	Valid		Non-Valid	
BAR	24	11.5%	0	0.0%	24	11.5%
CLUBS	20	9.6%	2	1.0%	18	8.7%
CONDO-HOTEL	14	6.7%	3	1.4%	11	5.3%
RESTAURANT	89	42.8%	12	5.8%	77	37.0%
RETAIL	8	3.8%	3	1.4%	5	2.4%
HOTEL	53	25.5%	13	6.3%	40	19.2%
Total	208	100%	33	15.9%	175	84.1%

Noise Cases by Noise Type

Noise Type	Totals	% of Commercial Cases (By Type of Noise)	Valid		Non-valid	
LOUD MUSIC	192	92.3%	28	13.5%	164	78.8%
LIVE ENTERTAINMENT	0	0.0%	0	0.0%	0	0.0%
BARKING DOG	1	0.5%	0	0.0%	1	0.5%
CROWD NOISE	0	0.0%	0	0.0%	0	0.0%
CONSTRUCTION	9	4.3%	3	1.4%	6	2.9%
OTHER	0	0.0%	0	0.0%	0	0.0%
HONKING CARS/ALARMS	6	2.9%	2	1.0%	4	1.9%
Totals	208	100%	33	15.9%	175	84.1%

Time of Day / Day of Week of Call

ALL CASES (VALID AND NON-VALID)

	Total	7a - 11p	11p - 7a (of the following morning)
Monday	20	14	6
Tuesday	20	12	8
Wednesday	12	8	4
Thursday	18	7	11
Friday	41	17	24
Saturday	52	28	24
Sunday	45	29	16
Totals	208	115	93
	100.0%	55.3%	44.7%

VALID

	Total	7a - 11p	11p - 7a (of the following morning)
Monday	1	1	0
Tuesday	5	3	2
Wednesday	1	0	1
Thursday	3	1	2
Friday	8	4	4
Saturday	10	8	2
Sunday	5	3	2
Totals	33	20	13
	100.0%	61%	39%

NON-VALID

	Total	7a - 11p	11p - 7a (of the following morning)
Monday	19	13	6
Tuesday	15	9	6
Wednesday	11	8	3
Thursday	15	6	9
Friday	33	13	20
Saturday	42	20	22
Sunday	40	26	14
Totals	175	95	80
	100%	54%	46%

Breakdown of Calls with Identified Complainants and with Anonymous Complainants

	Total Cases	Valid Cases	Non-valid Cases
Total Complaints	208	33	175
Anonymous Complainant	132	15	117
Anonymous with Contact made	7	2	5
Contact Information Provided	65	12	53
Internal (Proactive)	4	4	0
	100%	15.9%	84.1%
	63.5%	7.2%	56.3%
	3.4%	1.0%	2.4%
	31.3%	5.8%	25.5%
	1.9%	1.9%	0.0%

ATTACHMENT E

Information on Disposition of Cases by Special Master and by Judicial (Q2-2015)							
Date of Violation	Date of Violation	Request Filed	Special Master Case Number	Code Case Number	Address	Name	Status
1	11/22/2014	12/01/2014	JC15000162	CE15002058	2701 N Bay Road	Keith Menin, TRS	SM 05/07/2015 Notice of violation under case number CE15002058 was not proven by clear and convincing evidence to be valid. Case Dismissed
2	01/06/2015	01/14/2015	JC15000253	CE15003796	4385 COLLINS AVE	Soho House Beach House, LLC	SM 5/7/2015 As per agreed order, Case Dismissed.
3	01/24/2015	01/26/2015	JC15000266	CE15004431	816 COMMERCE ST	Alpha 22, LOLC	SM 6/11/2015 Adjudicated Guilty of 1st Offense. Fine of \$25 shall be paid by 7/13/15.
4	12/22/2014	02/12/2015	JC15000307	CE15004665	2301 Collins Avenue	2301 Collins 636 LLC	SM 6/18/2015 As per Agreed Order. Violation is Dismissed.
5	12/22/2014	02/12/2015	JC15000308	CE15004666	2301 Collins Avenue	2301 Collins 636 LLC	SM 6/18/2015 As per Agreed Order. Violation is Dismissed.
6	01/09/2015	02/12/2015	JC15000309	CE15004667	2301 Collins Avenue	2301 Collins 636 LLC	SM 6/18/2015 As per Agreed Order. Violation is Dismissed.
7	01/15/2015	02/12/2015	JC15000310	CE15004668	2301 Collins Avenue	2301 Collins 636 LLC	SM 6/18/2015 As per Agreed Order. Violation is Dismissed.
8	02/16/2015	02/20/2015	JC15000319	CE15005285	1312 15TH TERR	Leila Jidy	SM 5/7/2015 Adjudicated Guilty of 2nd Offense. Fine of \$1,000 to be paid by 08/07/2015.
9	02/21/2015	03/02/2015	JC15000323	CE15005413	441 W 62ND ST	Luz Maria Ciccio	SM 8/6/2015
10	02/22/2015	03/03/2015	JC15000325	CE15005428	1775 Collins Avenue	Elmira Miami LLC dba The Raleigh Hotel	SM 9/3/2015
11	03/15/2015	03/23/2015	JC15000352	CE15006253	45 E STAR ISLAND DR	The Little Lighthouse Foundation Inc	SM 8/13/2015
12	03/14/2015	03/23/2015	JC15000353	CE15006251	45 E STAR ISLAND DR	The Little Lighthouse Foundation Inc	SM 8/13/2015
13	05/09/2015	05/15/2015	JC15000427	CE15008715	336 21ST STREET	Moss & Associates, LLC	SM 7/16/2015 Notice of violation and fine under case number CE15008715 not proven by clear and convincing evidence to be valid. Case DISMISSED.
14	03/26/2015	06/17/2015	JC15000493	CE15006804	2377 COLLINS AVE	2377 COLLINS RESORT L.P.	SM 8/16/2015
15	07/04/2015	07/10/2015	JC15000545	CE15010931	8420 BYRON AVE	CLARO OMAR FRAGA LOPEZ	SM 9/3/2015